

PEARSON, J.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

JOSHUA CALHOUN,)	
)	CASE NO. 5:12CV00185
Plaintiff,)	
)	
v.)	JUDGE BENITA Y. PEARSON
)	
COMMISSIONER OF SOCIAL SECURITY)	
ADMINISTRATION,)	
)	
Defendant.)	<u>ORDER</u>

In the above-captioned case, an Administrative Law Judge (“ALJ”) denied Plaintiff Joshua Calhoun’s application for Disability Insurance Benefits and Supplemental Security Income after a hearing. That decision became the final determination of Defendant Commissioner of Social Security Administration when the Appeals Council denied Plaintiff’s request to review the ALJ’s decision. Plaintiff subsequently sought judicial review of Defendant’s decision, and this Court referred the case to Magistrate Judge George Limbert for preparation of a Report and Recommendation pursuant to 28 U.S.C. § 636. The magistrate judge, after reviewing the briefs submitted by the parties, the record, and the applicable law, recommended that Defendant’s decision be affirmed. ECF No. 19.

28 U.S.C. § 636 provides that a party may serve and file specific written objections within fourteen days after being served with the recommendations of the magistrate judge. Failure to object within this time waives a party’s right to appeal the district court’s judgment. *Thomas v. Arn*, 474 U.S. 140, 145, 106 S. Ct. 466, 88 L. Ed. 2d (1986). Moreover, 28 U.S.C. § 636 does not require a district judge to review a magistrate judge’s report to which no objections

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are filed. *Id.* at 149.

The Report and Recommendation was issued and filed on December 28, 2012. Although the cutoff to file written objections was January 11, 2013, Plaintiff has not filed any objections. Moreover, the Court finds that the Report and Recommendation is supported by the record, and agrees with the magistrate judge's recommendation.

Accordingly, the Court adopts the Report and Recommendation, and AFFIRMS the final decision of the Commissioner.

IT IS SO ORDERED.

January 14, 2013
Date

/s/ Benita Y. Pearson
Benita Y. Pearson
United States District Judge